



STEEL & EISNER

A LIMITED LIABILITY PARTNERSHIP

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DC Small Claims Survival Guide

- 1. Attempt Resolution:** Before filing a lawsuit, demand payment. Attempt to resolve the dispute through negotiation or mediation.
 - **The court requires that you request payment from the person you intend to sue.** You must confirm you have done this on the small claim's Complaint.
 - **How do you demand payment?** Demand payment in writing either via email or letter. A sample demand letter is below.
- 2. Check the Venue and Statute of Limitations:** Each court may have different rules and limits regarding small claims lawsuits.
 - In general, the statute of limitations for the breach of a written contract in California is four (4) years from the date the **contract was broken**.
 - Your case must be **FILED** before the statute of limitations expires.
 - Venue for a Breach of Contract case, when it isn't specifically written in the contract is either: Where the defendant lives or does business. Where the contract was made. Where the contract is to be (or was) performed.
- 3. Calculate the amount to sue for:**
 - **Calculating the amount to sue for in small claims can be challenging.** When filing a claim, it's important to only seek the amount you are rightfully owed. You must be able to demonstrate to the judge how you arrived at this amount, excluding the filing fee.

- **Calculate how much to sue for by using your bill:** In most cases, the full amount of your unpaid bill will dictate the amount to sue for (this does not include interest or other late fees/costs).
 - If the defendant is an **individual**, you can sue for a **maximum of \$12,500**.
 - If you are a **business (such as a law firm)**, you can sue for a **maximum of \$6,250**.
-
4. **Prepare Court Forms:** Prepare the lawsuit using the Plaintiff's Claim and ORDER to go to Small Claims Court (SC-100). Please fill them out and provide all relevant information supporting your claim. Samples of these forms are below but they can also be downloaded off of your local court website.

 5. **File the Claim with the Court:** Submit the SC-100 Form as well as the required filing fees. **Filing fees vary depending on the court** so look up this information on your county court website.
 - The filing fee for a small claim is between \$30-\$100. If you are unable to afford the fee, you can request a fee waiver. (Form FW-100)
 - If you are suing for **\$1,500 or less**, you will pay the court **\$30**.
 - If you are suing for **\$1,501 and up to \$5,000**, you will pay the court **\$50**.
 - If you are suing for **\$5,001 and up to \$10,000**, you will pay the court **\$75**.
 - If you are approved by the court to waive your court fees due to low income, you will not have to pay any fees.

 6. **POS- Proof of Service:** After filing your lawsuit, it is crucial to promptly notify the Defendant party that they have been sued. This step is essential to ensuring that all parties are aware of the legal proceedings. This is called serving. The person serving the lawsuit will prepare and sign a Proof of Service. Ensure that you follow the court's procedures for filing and serving the claim on the defendant.
 - Ask a friend or family member who is at least 18 years old and not involved in the case to serve your small claims lawsuit. It can be a great cost-effective solution.

Neither you nor someone who works for you can serve your lawsuit.

This should not be considered legal advice and is published solely for informational and educational purposes. Please consult an attorney for legal advice.

- If you qualify for a waiver of your court fees, the sheriff can serve your documents for free.
 - If you do not qualify for a fee waiver, the sheriff may be able to serve your lawsuit for a \$50 fee, depending on the county where the other party is located.
 - You can hire a licensed **process server** to handle lawsuit serving. Their fee usually ranges **between \$75- \$125**.
 - The process server must carefully fill out and sign the Proof of Service, detailing how the service was done, on whom, where, and when. Then, the process server will give you the Proof of Service. Make a copy of the Proof of Service and take the original and the copy to your court clerk right away to file it. **You have 60 days to file a Proof of Service after the lawsuit is filed** or else you can be sanctioned or the lawsuit dismissed for failure to serve.
7. **Gather Evidence:** To support your case, gather all relevant evidence and prepare exhibits. This includes signed medical liens, medical reports, medical bills, invoices, receipts, communication records, and any other documents that demonstrate the debt owed to you. Prepare your case by organizing your evidence.
8. **Prepare Evidence:** Prepare your case by organizing your evidence and practicing your presentation. **You must submit copies of your evidence to the court and to each party in your case at least 10 days prior to the hearing.**
- **Break up the evidence into sections and label them as Exhibits.** Such as Exhibit 1: Signed Medical Liens. Exhibit 2: Medical Records. Exhibit 3: Medical Billing. Exhibit 4: Demand Letter Exhibit 5: POS- Proof of Service
 - **Prepare 3 packets** of the evidence and mark them as exhibits for identification.
 - You will send one to the opposing counsel and another to the judge for examination.
 - Bring your exhibits to the hearing.

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9. **Attend Court Hearing:** Once the claim is filed, you will receive a court date for a hearing. Prepare your case by organizing your evidence and practicing your presentation. Be punctual and professional when attending the hearing.

At the initial small claims hearing, lawyers are not permitted! This rule ensures a level playing field for both parties to seek justice. However, you can seek legal counsel before or after the court hearing.

TIP: in a breach of contract case, all you must prove is that there was a written contract (which you do by producing the lien), that it was signed by the Defendant (which you do by producing the lien signed by the attorney/Defendant), that you fulfilled your obligations under the contract (which you do by producing the medical records showing the work you did on lien), that Defendant breached the contract (which you do by showing the letter demanding payment) and the amount of the damages (which you do by submitting the medical bill showing the amount you are owed for the work you did). If you have these documents in order and submitted properly to the court, there will be little to say at the hearing. **Do not get baited into a debate about the quality of your services, the necessity of your treatment, or any other extraneous arguments.** Rely on the evidence you have submitted, answer the judge's questions respectfully, and then say nothing else. Also, do not try to bring up things that do not specifically speak to the things which must be proven (discussed above) such as that the attorney was mean to you or that they made you some lowball offer or that they didn't respond to your calls or that the client did or said something you didn't appreciate. None of that matters in a breach of contract claim.

10. **Present your Case:** Present your case clearly and concisely, stick to the facts, reference the evidence "exhibits", and be prepared to answer the judge's questions.

11. **Receive Judgement:** Most small claims hearings in California are typically scheduled between 30 and 70 days after the lawsuit is filed. You will not receive the verdict at the initial hearing. Judges will generally decide in a few days after the hearing.

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Dr. Daniel Cormier, DC
11701 Wilshire Blvd Ste 15B,
Los Angeles, CA 90025

VIA CERTIFIED MAIL

Wynn Swindler, Esq.
2221 E Washington Blvd,
Los Angeles, CA 90021

Re: DEMAND FOR PAYMENT IN 72 HOURS

Our Patient/Your Client : William Victim
Date of Accident : January 1, 2020
Amount of Lien : \$1,500.00

Dear Mr. Swindler:

Attached is a copy of the medical lien that you signed and dated. This lien ensures that your office will compensate us once the case is settled. We know the case has recently been resolved, and our patient has already received compensation.

We expect you to honor your lien contract, but your delay is causing us concern. Therefore, we demand full and immediate payment of \$1,500 (please refer to the attached copies of the signed medical liens, bills and reports). We trust that you are familiar with the provisions of the Rules of Professional Conduct of the State Bar of California. The Bar holds you accountable as a fiduciary for the funds collected in this case.

If payment is not made, we will have no choice but to file a lawsuit against you and your firm. We would rather not take these measures, but we will do so unless we receive the payment within 72 hours from the date of this letter.

Sincerely,

Dr. Daniel Cormier

Dr. Daniel Cormier, DC

**Plaintiff's Claim and ORDER
to Go to Small Claims Court**

Clerk stamps date here when form is filed.

Notice to the person being sued:

- You are the defendant if your name is listed in ② on page 2 of this form or on form SC-100A. The person suing you is the plaintiff, listed in ① on page 2.
- You and the plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case. If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

Aviso al Demandado:

- Usted es el Demandado si su nombre figura en ② de la página 2 de este formulario, o en el formulario SC-100A. La persona que lo demanda es el Demandante, la que figura en ① de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso. Si pierde el caso, la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:**Case Name:****Order to Go to Court**

The people in ① and ② must attend court: (Clerk fills out section below.)

Trial Date	Date	Time	Department	Name and address of court, if different from above
1.				
2.				
3.				

Date: _____ Clerk, by _____, Deputy

Instructions for the person suing:

Do not use this form to recover COVID-19 rental debt, which is unpaid rent or other financial obligations under a tenancy due between March 1, 2020, and September 30, 2021. (See Code of Civil Procedure, §1179.02.) To recover COVID-19 rental debt, use form [SC-500, Plaintiff's Claim and ORDER to Go to Small Claims Court](#).

- You are the plaintiff. The person you are suing is the defendant.
- Before you fill out this form, read form [SC-100-INFO, Information for the Plaintiff](#), to know your rights. You can get form SC-100-INFO at any courthouse or county law library, or go to www.courts.ca.gov/forms.
- Fill out pages 2, 3, and 4 of this form. Make copies of all the pages of this form and any attachments—one for each party named in this case and an extra copy for yourself. Take or mail the original and the copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above. Your court may allow electronic filing. Check your local court website for information: www.courts.ca.gov/find-my-court.htm.
- You must have someone at least 18—not you or anyone else listed in this case—give each defendant a court-stamped copy of all pages of this form and any pages this form tells you to attach. There are special rules for “serving,” or delivering, this form to public entities, associations, and some businesses. See forms [SC-104](#), [SC-104B](#), and [SC-104C](#).
- Go to court on your trial date listed above. Bring witnesses, receipts, and any evidence you need to prove your case.



Plaintiff (list names):

Case Number:

① The plaintiff (the person, business, or public entity that is suing) is:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Email address (if available): _____

If more than one plaintiff, list next plaintiff here:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Email address (if available): _____

- Check here if more than two plaintiffs and attach form [SC-100A](#).
- Check here if either plaintiff listed above is doing business under a fictitious name and attach form [SC-103](#).
- Check here if any plaintiff is a "licensee" or "deferred deposit originator" (payday lender) under Financial Code sections 23000 et seq.

② The defendant (the person, business, or public entity being sued) is:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

If the defendant is a corporation, limited liability company, or public entity, list the person or agent authorized for service of process here:

Name: _____ Job title, if known: _____

Address: _____
Street City State Zip

- Check here if your case is against more than one defendant and attach form [SC-100A](#).
- Check here if any defendant is on active military duty and write defendant's name here: _____

③ The plaintiff claims the defendant owes \$ _____ . (Explain below and on next page.)

(Note: A claim for COVID-19 rental debt cannot be made on this form. Use form [SC-500, Plaintiff's Claim and ORDER to Go to Small Claims Court \(COVID-19 Rental Debt\)](#).)

a. Why does the defendant owe the plaintiff money?

Plaintiff (list names):

Case Number:

- 3 b. When did this happen? (Date): _____
If no specific date, give the time period: Date started: _____ Through: _____
- c. How did you calculate the money owed to you? (Do not include court costs or fees for service.)

Check here if you need more space. Attach one sheet of paper or form [MC-031](#) and write "SC-100, Item 3" at the top.

- 4 You must ask the defendant (in person, in writing, or by phone) to pay you before you sue. If your claim is for possession of property, you must ask the defendant to give you the property. Have you done this?

Yes No If no, explain why not:

- 5 Why are you filing your claim at this courthouse?

This courthouse covers the area (check the one that applies):

- a. (1) Where the defendant lives or does business. (4) Where a contract (written or spoken) was made,
(2) Where the plaintiff's property was damaged. signed, performed, or broken by the defendant or
(3) Where the plaintiff was injured. where the defendant lived or did business when the
defendant made the contract.
- b. Where the buyer or lessee signed the contract, lives now, or lived when the contract was made, if this claim, is about an offer or contract for personal, family, or household goods, services, or loans. (Code Civ. Proc., § 395(b).)
- c. Where the buyer signed the contract, lives now, or lived when the contract was made, if this claim is about a retail installment contract (like a credit card). (Civ. Code, § 1812.10.)
- d. Where the buyer signed the contract, lives now, or lived when the contract was made, or where the vehicle is permanently garaged, if this claim is about a vehicle finance sale. (Civ. Code, § 2984.4.)
- e. Other (specify): _____

- 6 List the zip code of the place checked in 5 above (if you know): _____

- 7 Is your claim about an attorney-client fee dispute? Yes No
If yes, and if you have had arbitration, fill out form SC-101, attach it to this form, and check here:

- 8 Are you suing a public entity? Yes No

Plaintiff (list names):

Case Number:

- 9 Have you filed more than 12 other small claims within the last 12 months in California?
 Yes No *If yes, the filing fee for this case will be higher.*
- 10 Is your claim for more than \$2,500? Yes No
If you answer yes, you also confirm that you have not filed, and you understand that you may not file, more than two small claims cases for more than \$2,500 in California during this calendar year.
- 11 I understand that by filing a claim in small claims court, I have no right to appeal this claim.

I declare under penalty of perjury under the laws of the State of California that the information above and on any attachments to this form is true and correct.

Date: _____

Plaintiff types or prints name here



Plaintiff signs here

Date: _____

Second plaintiff types or prints name here



Second plaintiff signs here



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. For these and other accommodations, contact the clerk's office for form [MC-410, Disability Accommodation Request](#). (Civ. Code, § 54.8.)

SC-100

Information for the defendant (the person being sued)

"Small claims court" is a special court where claims for \$12,500 or less are decided. Individuals, including "natural persons" and sole proprietors, may claim up to \$12,500. Corporations, partnerships, public entities, and other businesses are limited to claims of \$6,250. (See below for exceptions.) The process is quick and cheap. The rules are simple and informal. You are the *defendant*—the person being sued. The person who is suing you is the *plaintiff*.

Do I need a lawyer? You may talk to a lawyer before or after the case. But you may not have a lawyer represent you in court (unless this is an appeal from a small claims case).

How do I get ready for court? You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and evidence that support your case. And read "Be Prepared for Your Trial" at www.courts.ca.gov/smallclaims/prepare.

What if I need an accommodation? If you have a disability or are hearing impaired, fill out form [MC-410, Disability Accommodation Request](#). Give the form to your court clerk or the ADA/Access Coordinator.

What if I don't speak English well? Ask the court clerk as soon as possible for a court-provided interpreter. You may use form [INT-300, Request for Interpreter \(Civil\)](#) or a local court form to request an interpreter. If a court interpreter is unavailable for your trial, it may be necessary to reschedule your trial. You cannot bring your own interpreter for the trial unless the interpreter has been approved by the court as a certified, registered, or provisionally qualified interpreter. (See Cal. Rules of Court, rule 2.893, and form [INT-140](#).)

Where can I get the court forms I need? Go to any courthouse or your county law library, or print forms at www.courts.ca.gov/forms.

What happens at the trial? The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

What if I lose the case? If you lose, you may appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file form [SC-140, Notice of Appeal](#). You must file within 30 days after the clerk hands or mails you the judge's decision (judgment) on form [SC-200](#) or form [SC-130, Notice of Entry of Judgment](#).
- If you were not at the trial, fill out and file form [SC-135, Notice of Motion to Vacate Judgment and Declaration](#), to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File form [SC-140](#).

For more information on appeals, see www.courts.ca.gov/smallclaims/appeals.

- **Prove this is the wrong court.** Send a letter to the court before your trial explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done so.)
- **Go to the trial and try to win your case.** Bring witnesses, receipts, and any evidence you need to prove your case. To have the court order a witness to go to the trial, fill out form [SC-107, Small Claims Subpoena and Declaration](#), and have it served on the witness.
- **Sue the person who is suing you.** If you have a claim against the plaintiff, and the claim is appropriate for small claims court as described on this form, you may file *Defendant's Claim* (form [SC-120](#)) and bring the claim in this action. If your claim is for more than allowed in small claims court, you may still file it in small claims court if you give up the amount over the small claims value amount, or you may file a claim for the full value of the claim in the appropriate court. If your claim is for more than allowed in small claims court and relates to the same contract, transaction, matter, or event that is the subject of the plaintiff's claim, you may file your claim in the appropriate court and file a motion to transfer the plaintiff's claim to that court to resolve both matters together. You can see a description of the amounts allowed in the paragraph above, titled "**Small Claims Court.**"
- **Agree with the plaintiff's claim and pay the money.** Or, if you can't pay the money now, go to your trial and say you want to make payments.
- **Let the case "default."** If you don't settle and do not go to the trial (default), the judge may give the plaintiff what he or she is asking for plus court costs. If this happens, the plaintiff can legally take your money, wages, and property to pay the judgment.

What if I need more time?

You can change the trial date if:

- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial), or
- You did not get served (receive this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county).

Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out form [SC-150](#) (or write a letter) and mail it to the court and to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.



Need help?

Your county's Small Claims Advisor can help for free.

SC-100

Información para el demandado (la persona demandada)

La "Corte de reclamos menores" es una corte especial donde se deciden casos por \$12,500 o menos. Los individuos, o sea las "personas físicas" y los propietarios por cuenta propia, pueden reclamar hasta \$12,500. Las corporaciones, asociaciones, entidades públicas y otras empresas solo pueden reclamar hasta \$6,250. (Vea abajo para las excepciones.) El proceso es rápido y económico. Las reglas son sencillas e informales. Usted es el Demandado—la persona que se está demandando. La persona que lo está demandando es el Demandante.

¿Necesito un abogado? Puede hablar con un abogado antes o después del caso. Pero no puede tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

¿Cómo me preparo para ir a la corte? No tiene que presentar ningún documento antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio cualquier testigos, recibos y pruebas que apoyan su caso. Y lea "Esté preparado para su juicio" en www.courts.ca.gov/reclamosmenores/preparesse.

¿Qué hago si necesito una modificación? Si tiene una discapacidad o tiene impedimentos de audición, llene el formulario MC-410, *Solicitud de modificaciones para discapacidad*. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

¿Qué pasa si no hablo bien inglés? Solicite un intérprete al secretario de la corte lo más pronto posible. Puede usar el formulario INT-300 o un formulario de su corte local. Si no está disponible un intérprete de la corte para su juicio, es posible que se tenga que cambiar la fecha de su juicio. No puede llevar su propio intérprete para el juicio a menos que el intérprete haya sido aprobado por la corte como un intérprete certificado, registrado, o provisionalmente calificado. (Vea la regla 2.893 de las Reglas de la Corte de California, y el formulario INT-140.)

¿Dónde puedo obtener los formularios de la corte que necesito? Vaya a cualquier edificio de la corte, la biblioteca legal de su condado, o imprima los formularios en www.courts.ca.gov/smallclaims/forms (página está en inglés).

¿Qué pasa en el juicio? El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

¿Qué pasa si pierdo el caso? Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, *Aviso de apelación* (Notice of Appeal). Tiene que presentarlo dentro de 30 días después de que el secretario le entregue o envíe la decisión (fallo) del juez en el formulario SC-200 o SC-130, *Aviso de publicación del fallo* (Notice of Entry of Judgment).
- Si no estuvo en el juicio, llene y presente el formulario SC-135, *Aviso de petición para anular el fallo y Declaración para pedirle al juez que anule el fallo* (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

- **Probar que es la corte equivocada.** Envíe una carta a la corte antes del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que despida el reclamo. Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- **Ir al juicio y tratar de ganar el caso.** Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Si desea que la corte emita una orden de comparecencia para que los testigos vayan al juicio, llene el formulario SC-107, *Citatorio de reclamos menores* (Small Claims Subpoena) y entrégueselo legalmente al testigo.
- **Demandar a la persona que lo demandó.** Si tiene un reclamo contra el Demandante, y el reclamo se puede presentar en la corte de reclamos menores, tal como se describe en este formulario, puede presentar el formulario SC-120, *Reclamo del demandado* (Defendant's Claim) y presentarlo en este mismo caso. Si su reclamo excede el límite permitido en la corte de reclamos menores, puede igualmente presentarlo en la corte de reclamos menores si está dispuesto a limitar su reclamo al máximo permitido, o puede presentar un reclamo por el monto total en la corte apropiada. Si su reclamo excede el límite permitido en la corte de reclamos menores y está relacionado con el mismo contrato, transacción, asunto o acontecimiento que el reclamo del Demandante, puede presentar su reclamo en la corte apropiada y presentar una moción para transferir el reclamo del Demandante a dicha corte, para poder resolver los dos reclamos juntos. Puede ver una descripción de los montos permitidos en el párrafo anterior titulado "Corte de reclamos menores".
- **Aceptar el reclamo del Demandante y pagar el dinero.** O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos a plazos.
- **No ir al juicio y aceptar el fallo por falta de comparecencia.** Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo.

¿Qué hago si necesito más tiempo? Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (ó 20 días si vive fuera del condado).

Pregúntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-150 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una exención.



¿Necesita ayuda? El Asesor de Reclamos Menores de su

FW-001**Request to Waive Court Fees****CONFIDENTIAL**

Clerk stamps date here when form is filed.

If you are getting public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and your court fees, you may use this form to ask the court to waive your court fees. The court may order you to answer questions about your finances. If the court waives the fees, you may still have to pay later if:

- You cannot give the court proof of your eligibility,
- Your financial situation improves during this case, or
- You settle your civil case for \$10,000 or more. The trial court that waives your fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge you any collection costs.

Fill in court name and street address:

Superior Court of California, County of

1 Your Information (person asking the court to waive the fees):

Name: _____

Street or mailing address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Fill in case number and name:

Case Number:

Case Name:

2 Your Job, if you have one (job title): _____

Name of employer: _____

Employer's address: _____

3 Your Lawyer, if you have one (name, firm or affiliation, address, phone number, and State Bar number):

a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes No

b. (If yes, your lawyer must sign here) Lawyer's signature: _____

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

4 What court's fees or costs are you asking to be waived? Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).) Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)**5 Why are you asking the court to waive your court fees?**a. I receive (check all that apply; see form FW-001-INFO for definitions): Food Stamps Supp. Sec. Inc. SSP Medi-Cal County Relief/Gen. Assist. IHSS CalWORKS or Tribal TANF CAPI WIC Unemploymentb. My gross monthly household income (before deductions for taxes) is less than the amount listed below. (If you check 5b, you must fill out 7, 8, and 9 on page 2 of this form.)

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$396.67
1	\$2,510.00	3	\$4,303.34	5	\$6,096.67	

Case Number: _____

Your name: _____

If you checked 5a on page 1, do not fill out below. If you checked 5b, fill out questions 7, 8, and 9 only. If you checked 5c, you must fill out this entire page. If you need more space, attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

7 Check here if your income changes a lot from month to month. If it does, complete the form based on your average income for the past 12 months.

8 Your Gross Monthly Income

a. List the source and amount of any income you get each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

Table with 2 columns: Source, Amount. Rows (1) through (4) with blank lines for input.

b. Your total monthly income: \$ _____

9 Household Income

a. List the income of all other persons living in your home who depend in whole or in part on you for support, or on whom you depend in whole or in part for support.

Table with 4 columns: Name, Age, Relationship, Gross Monthly Income. Rows (1) through (4) with blank lines for input.

b. Total monthly income of persons above: \$ _____

Total monthly income and household income (8b plus 9b): \$ _____

10 Your Money and Property

a. Cash \$ _____

b. All financial accounts (List bank name and amount):

Table with 2 columns: Account Name, Amount. Rows (1) through (3) with blank lines for input.

c. Cars, boats, and other vehicles

Table with 3 columns: Make / Year, Fair Market Value, How Much You Still Owe. Rows (1) through (3) with blank lines for input.

d. Real estate

Table with 3 columns: Address, Fair Market Value, How Much You Still Owe. Rows (1) through (2) with blank lines for input.

e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):

Table with 3 columns: Describe, Fair Market Value, How Much You Still Owe. Rows (1) through (2) with blank lines for input.

11 Your Monthly Deductions and Expenses

a. List any payroll deductions and the monthly amount below:

Table with 2 columns: Deduction Name, Amount. Rows (1) through (4) with blank lines for input.

b. Rent or house payment & maintenance \$ _____

c. Food and household supplies \$ _____

d. Utilities and telephone \$ _____

e. Clothing \$ _____

f. Laundry and cleaning \$ _____

g. Medical and dental expenses \$ _____

h. Insurance (life, health, accident, etc.) \$ _____

i. School, child care \$ _____

j. Child, spousal support (another marriage) \$ _____

k. Transportation, gas, auto repair and insurance \$ _____

This should not be considered legal advice and is published solely for informational and educational purposes. Please consult an attorney for legal advice.